

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

JOHN R. SATCHELL,

Plaintiff,

-against-

DEPT. OF CORRECTIONS, ET AL.,

Defendants.

24-CV-1763 (LTS)

ORDER

LAURA TAYLOR SWAIN, Chief United States District Judge:

Plaintiff, who is currently incarcerated at Clinton Correctional Facility, filed this complaint *pro se* and *in forma pauperis* (“IFP”) regarding events occurring during his detention at Rikers Island. By order dated July 31, 2024, the Court granted Plaintiff 60 days’ leave to file an amended complaint. The Court received a letter from Plaintiff on October 3, 2024, stating that after he was transferred from Rikers to Clinton he “never received [his] property,” and asking “how can [he] prove [his] claim when [his] receipts are in [his] property?” (ECF 7.)

The Court construes the letter as requesting an extension of time to file an amended complaint, and grants that request. Plaintiff must file an amended complaint within 60 days of the date of this order. If Plaintiff fails to file an amended complaint within the prescribed time, and cannot show good cause to excuse such failure, the Court will dismiss the action for the reasons stated in the July 31, 2024 order.

Insofar as Plaintiff asks how he can prove his claims without access to certain documents, he is advised that he does not need to prove his claims at this stage of the case. What the Court requires at this time is an amended complaint that contains a short and plain statement showing that he is entitled to relief from the named Defendants. Plaintiff should carefully review the order to amend, which provides guidance on how to do that.

The Court certifies, pursuant to 28 U.S.C. § 1915(a)(3), that any appeal from this order would not be taken in good faith, and therefore IFP status is denied for the purpose of an appeal. *Cf. Coppedge v. United States*, 369 U.S. 438, 444-45 (1962) (holding that an appellant demonstrates good faith when he seeks review of a nonfrivolous issue).

SO ORDERED.

Dated: October 7, 2024
New York, New York

/s/ Laura Taylor Swain

LAURA TAYLOR SWAIN
Chief United States District Judge